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(no)

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
HARRISBURG

MAY 09 2001

MARY E. D'ANDREA, CLERK
Per 765
DEPUTY CLERK

DEBBIE A. MESSNER, Individually
and as Administratrix of the Estate of
Keith A. Messner,

Civil Action No.

Plaintiff,

v.

MOTION FOR ENLARGEMENT OF
TIME TO PLEAD

CONSECO LIFE INSURANCE
COMPANY,

Filed on Behalf of: Defendant
Conseco Life Insurance Company

Defendant

Counsel of Record:

Henry M. Sneath, Esquire
Pa. I.D. No. 40559

David T. Kluz, Esquire
Pa. I.D. No. 18005

DOEPKEN KEEVICAN & WEISS
PROFESSIONAL CORPORATION
Firm I.D. No. 870
58th Floor, USX Tower
600 Grant Street
Pittsburgh, PA 15219
Phone: 412.355.2600
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DEBBIE A. MESSNER, Individually and
as Administratrix of the Estate of
Keith A. Messner,

Plaintiff,

v.

CONSECO LIFE INSURANCE
COMPANY,

Defendant.

1: CV 01-0812

Civil Action No.

FILED
HARRISBURG

MAY 09 2001

MARY E. D'ANDREA, CLERK
Per SJS
DEPUTY CLERK

MOTION FOR ENLARGEMENT OF TIME TO PLEAD

NOW COMES the Defendant, Consec Life Insurance Company ("Consec"), by and through its counsel Doepken, Keevican & Weiss, and hereby requests a thirty (30) day enlargement of time to plead to the Complaint, stating as follows:.

1. Defendant requests this enlargement of time on the basis that the allegations in the Complaint involve a lengthy relationship between Plaintiff and the Defendant insurance company and the records are quite voluminous. Counsel requests additional time to review the records to prepare the proper responsive pleading to the Complaint.

2. This request is not sought for purposes of delay, but rather so that Defendant can accurately respond to the allegations in the Complaint. This is the Defendant's first request for an enlargement of time.

3. If this Motion is granted, Consecos responsive pleading would be due on or before June 10, 2001.

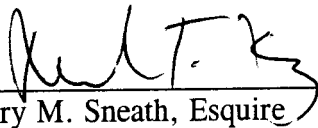
4. In a telephone call on May 9, 2001, the secretary for counsel for the Plaintiff Glenn C. Vaughn, Esquire who indicated that Mr. Vaughn was unavailable. Therefore counsel is unable to indicate whether or not Mr. Vaughn will oppose the enlargement of time requested in the within Motion.

5. As this case is in its initial stages, the enlargement of time will not materially delay the proceedings.

WHEREFORE, Defendant Consecos Life Insurance Company requests a thirty (30) day enlargement of time, up to and including June 10, 2001, to respond to the Complaint.

Respectfully submitted,

DOEPKEN KEEVICAN & WEISS
PROFESSIONAL CORPORATION


Henry M. Sneath, Esquire
Pa. I.D. #40559

David T. Kluz, Esquire
Pa. I.D. #18005

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Counsel for Defendant

CERTIFICATE OF SERVICE

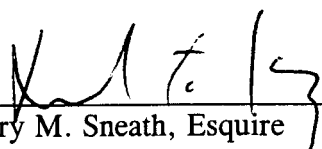
I hereby certify that a true and correct copy of the within Motion for Extension of Time to Plead has been served upon all parties either individually or through counsel by:

☐ Hand Delivery
☒ First Class Mail, Postage Prepaid
☐ Certified Mail Return Receipt Requested
☐ Facsimile

at the following addresses:

Glenn C. Vaughn, Esquire
Pa. I.D. No. 07484
22 South Beaver Street
York, PA 17401
Counsel for Plaintiff

DOEPKEN KEEVICAN & WEISS
PROFESSIONAL CORPORATION



Henry M. Sneath, Esquire
David T. Kluz, Esquire

Dated: 9 May 01